

JAN 12 2009


Defendants.

No. CIV-07-1174-W

(2) DENIES the Motion to Dismiss [Doc. 74] filed by Jones and Evans on August 29, 2008; and

(3) the referral not having been terminated in this action, COMMITS this matter to Magistrate Judge Roberts for further proceedings.

ENTERED this 12th day of January, 2009.


LEE R. WEST
UNITED STATES DISTRICT JUDGE